

Town Board Minutes

July 21, 2003

Meeting No. 26

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day of July at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
CHRISTINE FUSCO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER STEMPIAK, SECONDED BY COUNCIL MEMBER RUFFINO by roll call vote, to deliberate in Executive Session for the announced purpose of discussing potential refuse collection contract resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

At 9:32 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Bastian, Norman, 5747 Genesee Street, spoke to the Town Board on the following matters:

- Comments on trailers for sale on property at 5454 Genesee Street.
- Comments on Speedway jet cars running until 12:50 A.M., also ran until almost 1 A.M. one month ago.

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Asked if the Town of Lancaster has received requests for composting permits.
- Comments/concerns about dumping for purpose of composting.

Braun, Melvin, 5984 Genesee Street, spoke to the Town Board on the following matter:

- Concerns about noise at the Lancaster Speedway.

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matter:

- Questions about responses made by Erie County Department of Environmental Planning regarding project referrals.

Farace, Anthony, 30 Stony Brook Drive, spoke to the Town Board on the following matter:

- Complaints of cars speeding down Stony Brook Drive; he would like another stop sign at Stony Brook Drive and Whitestone Lane or at least a speed study conducted.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

- Questions about counsel to the Lancaster Industrial Development Agency.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- Questioned if the expense for installation of street lights is charged in lighting districts.
- Comments about Freedom Of Information Law records access officer.
- Questions about the Lancaster Airport.

Tytka, Matt, 5994 Genesee Street, spoke to the Town Board on the following matters:

- Complaints about loud noise in his neighborhood; allegations about a loud party with a band.
- Complaints about noise from LaFarge and Lancaster Speedway.
- Wants Sections 38-9 and 38-10 of the Town Code amended.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon proposed amendments to the Vehicle & Traffic Ordinance of the Town of Lancaster, namely stop & yield intersections Creekwood Drive & Parkedge Drive And Peach Tree Court & Apple Blossom Blvd.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/
	None	

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND
SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE
PUBLIC HEARING, on roll, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:31 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

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PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held July 7, 2003 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Namco Cybertainment, Inc. (AMF Bowling Centers Inc - Lancaster Lanes), has applied for a license to operate and maintain a Game Room on premises located at 4913 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Chief of Police for review and recommendation, and

WHEREAS, the Building Inspector and Chief of Police have completed their review and made a formal, favorable recommendation to the Town Board on the issuance of this license.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to issue a license to Namco Cybertainment, Inc. (AMF Bowling Centers Inc - Lancaster Lanes) to operate and maintain a Game Room on premises located at 4913 Transit Road, Lancaster, New York, and

BE IT FURTHER

RESOLVED, that said license shall be issued for the **one (1) year period of July 21, 2003 to July 21, 2004** in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$720 for ten (10) amusement devices.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK TO WIT:

WHEREAS, Lancaster Airport, Inc. has received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Buffalo-Lancaster Airport:

“Reconstruct, Realign, Mark and Light (MIRL) Runway 8-26, Including Generic Visual Glideslope Indicators, Runway End Identifier Lights, Lighted Wind Cone, Rotating Beacon and Associated Drainage; Relocate Aircraft Parking Apron”.

WHEREAS, the New York State Department of Transportation is offering a matching grant to the Federal grant for 50% of the non-Federal share of eligible costs, and

WHEREAS, the New York State Department of Transportation, under Section 14h of the State Transportation Law, requires privately owned reliever facilities to obtain local municipal support to receive New York State funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster endorses the above described projects for the purpose of making the projects eligible for State funding;

BE IT

FURTHER RESOLVED, that the adoption of this Resolution shall be solely for the purposes stated herein and in no way binds the Town Board, the Planning Board and/or the Zoning Board of Appeals of the Town of Lancaster to any approvals, permits and/or licenses which may be required by the applicant for future projects or work related to Buffalo-Lancaster Airport.

BE IT FURTHER

RESOLVED, it has heretofore been determined by the Town Board, under Part 617 of the State Environmental Quality Review Act (SEQR), of the State of New York, that the aforesaid project to Reconstruct, Realign, Mark and Light (MIRL) Runway 8-26, Including Generic Visual Glideslope Indicators, Runway End Identifier Lights, Lighted Wind Cone, Rotating Beacon and Associated Drainage; Relocate Aircraft Parking Apron, including basic data collection, research and engineering studies, constitutes an Unlisted Action which will not have significant impact upon the environment. The Supervisor of the Town of Lancaster is hereby authorized to sign and date form DV-21-RI Agency

Compliance Statements, as attached herewith, and,

BE IT FURTHER

RESOLVED, that this Resolution shall take effect immediately.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT’S ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK TO WIT:

WHEREAS, a Public Hearing was held on the 21st day of July, 2003 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster; and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof.
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on July 21, 2003.
3. That a Certified Copy thereof be published in the Lancaster Bee on July 24, 2003.
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board.
5. That Affidavits of Publication and Posting be filed with the Town Clerk.
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

Article VIII, STOP INTERSECTIONS; NON-INTERSECTION STOPS;
YIELD INTERSECTIONS
46-8.1 Stop Intersections designated, is hereby amended by adding
thereto the following:

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
<u>PARKEDGE SUBDIVISION</u>		
Creekwood Drive	Parkedge Drive	N.E. Corner
<u>SUMMERFIELD FARMS SUBDIVISION</u>		
Peachtree Court	Apple Blossom Blvd	S.E. Corner

July 21, 2003

STATE OF NEW YORK :
COUNTY OF ERIE : **ss:**
TOWN OF LANCASTER :

THIS IS TO CERTIFY that **I, JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 21st day of July, 2003, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 21st day of July, 2003.

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO TO WIT:

WHEREAS, **NEC Transit William LLC**, 6495 Transit Road, Bowmansville, New York, has submitted a Site Plan prepared by Ken Bracker and Associates, dated June 17, 2003 and received June 19, 2003 for the construction of a 3,600 square foot restaurant (Wendy’s Restaurant) located at 4961 Transit Road in the Town of Lancaster, and

WHEREAS, the Planning Board reviewed the plan and at its meeting July 2, 2003, recommended approval of this project, and

WHEREAS, the Town’s Municipal Review Committee reviewed the Site Plan to determine whether the proposed development was in compliance with the FEIS and Findings made thereon with regard to the buildout of the entire site at the northeast corner of William and Transit and has determined that the site plan is in compliance and further completed a SEQR Review of the plan and adopted a Negative Declaration.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by **NEC Transit William LLC**, prepared by Ken Bracker and Associates, dated June 17, 2003 and received June 19, 2003 for the construction of a 3,600 square foot restaurant (Wendy’s Restaurant) located at 4961 Transit Road in the Town of Lancaster

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTGOMERY, TO WIT:

WHEREAS, NEC Transit William LLC, 6495 Transit Road, Bowmansville, New York, has submitted a Site Plan prepared by Lauer-Manguso and Associates Architects, dated May 15, 2003 and received June 3, 2003 for the construction of a 3,432 square foot drive-thru bank (Evans National Bank) located at 4979 Transit Road in the Town of Lancaster, and

WHEREAS, the Planning Board reviewed the plan and at its meeting June 18, 2003, recommended approval of this project, and

WHEREAS, the Town’s Municipal Review Committee reviewed the Site Plan to determine whether the proposed development was in compliance with the FEIS and Findings made thereon with regard to the buildout of the entire site at the northeast corner of William and Transit and has determined that the site plan is in compliance and further completed a SEQR Review of the plan and adopted a Negative Declaration.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by **NEC Transit William LLC**, prepared by Lauer-Manguso and Associates Architects, dated May 15, 2003 and received June 3, 2003 for the construction of a 3,432 square foot drive-thru bank (Evans National Bank) located at 4979 Transit Road in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Edward Haniszewski, d/b/a Ed Henning Inc., 911 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 911 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated July 14, 2003, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE, BE IT

RESOLVED, that Edward Haniszewski, d/b/a Ed Henning, Inc., 911 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 911 Ransom Road, Lancaster, New York for the period July 21, 2003 to December 31, 2003 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

TOWN OF LANCASTER
RECORDS MANAGEMENT POLICY

WHEREAS, the Lancaster Town Clerk, as Records Management Office (RMO) pursuant to Section 57.17 of the Arts and Cultural Affairs Law of the State of New York, has previously undertaken a program for the establishment of a local government archives and records management system, and

WHEREAS, it is desirable to have a records management policy in place and make revisions to that policy on a continuing basis, and

WHEREAS, the Lancaster Town Records Management Program has been a constant source of cost savings over the years, and

WHEREAS, grant monies have been awarded to the Town of Lancaster by the New York State Education Department to remodel and organize an inactive records storage facility at 525 Pavement Road to be shared in a cooperative venture with the Village of Lancaster, thereby making it necessary to update the current records management policy, and

WHEREAS, the objectives of the Lancaster Town Board are best achieved by the official adoption of a revised comprehensive records management policy.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

Section 1 - Town Clerk: The Town Clerk or her designee shall be responsible for the records management policy established by this resolution and subsequent amendments thereto. Said officer will be responsible for administering the inactive and archival public records for the Town of Lancaster in accordance with local, state, and federal laws and guidelines. Said officer shall also be responsible for overseeing microfilming of Town records according to recognized standards and specifications.

Section 2 - Powers and Duties: The Town Clerk or her designee shall have all the necessary powers to carry out the efficient administration, determination of value, use, preservation, storage, and disposition of the inactive and archival public records kept, filed, or received by the offices and departments of the Town of Lancaster.

The Town Clerk or her designee shall establish guidelines for proper records management in any department or agency of Town government in accordance with local, state, and federal laws and guidelines.

Section 3 - Records Center: The Town Clerk shall have at her disposal two records vaults in the Lancaster Town Hall and a Records Storage Center located at 525 Pavement Road dedicated specifically for the storage, processing, and servicing of active, inactive, and archival records for all Town departments and agencies.

Section 4 - Sole Officer: The Town Clerk or her designee shall be the sole official designated in the "Public Officer's Certification for Using Records Retention and Disposition Schedules". She shall be the sole officer with authority over the disposition of Town records, after receiving approval of the respective Town Officer or Department Head who has custody of the records of his respective office or department.

Section 5 - Construction. Inconsistent Laws: If any part of this resolution, or its application to any persons or circumstances, is adjudged by a court to be invalid or ineffectual, such judgement shall not affect the remainder of the resolution or its application to any other person or circumstance. This resolution shall supersede all prior resolutions inconsistent with it to the extent of such inconsistency, but in all other respects shall be deemed supplemental to such resolutions

Section 6 - Effective Date: This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the New York State Office of Children and Family Services has awarded the County of Erie a grant for the period of January 1, 2003 to December 31, 2003 to fund the Safe Places Program in four suburban communities, which includes the Town of Lancaster, and

WHEREAS, the County of Erie has authorized the County Executive to enter into a contract with the Town of Lancaster for the amount of \$10,875.

NOW, THEREFORE, BE IT

RESOLVED that Robert H. Giza, Supervisor of the Town of Lancaster is authorized to enter into a contract with the County of Erie in the amount of \$10,875 to operate a Safe Places Program through the Town of Lancaster Youth Bureau in cooperation with the Depew-Lancaster Boys and Girls Club, Inc.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
RUFFINO, TO WIT:

WHEREAS, the General Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated July 16, 2003, has recommended the appointment of Jody Hillman to the position of Recreation Attendant, part-time, in the Senior Citizen Center.

NOW, THEREFORE, BE IT

RESOLVED, that **JODY HILLMAN**, 26 Donna Lea Drive, Lancaster, New York 14086, be and is hereby appointed to the position of Recreation Attendant, part-time, effective July 21, 2003, at an hourly rate of \$9.50, with no benefits, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted a proposal dated July 15, 2003, for installation of street lighting on Lake Avenue within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended acceptance of this proposal.

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to make the following installations on Lake Avenue:

Lake Avenue

Install 1 - 100w High Pressure Sodium Luminarie @ \$122.92 ea. = \$122.92

Install 1 - wood pole @ \$136.00 ea. = \$136.00

TOTAL ANNUAL INCREASE - \$258.92

and,

BE IT FURTHER

RESOLVED, that this proposal is made contingent upon the terms and conditions covered in New York State Electric and Gas Corporation's Street Lighting Tariff Agreement with the Town of Lancaster, District No. 1.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 3234 to Claim No. 3496 Inclusive

Total amount hereby authorized to be paid: \$485,764.65

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR TO WIT:

RESOLVED that the following Building Permit applications be and are hereby
reaffirmed:

CODES:

- (SW)** = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.
- (CSW)** = Conditional sidewalk waiver.
- (V/L)** = Village of Lancaster

NEW PERMITS:

10908	Duro-Shed Inc	12 Nottingham Ln	Er. Shed	
10909	Kid's Korner	2655 Wehrle Dr	Er. Sign-Temp	
10910	Marrano/Marc Equity	46 Apple Blossom Blvd	Er. Dwlg.-Sin.	
10911	Marrano/Marc Equity	32 Apple Blossom Blvd	Er. Dwlg.-Sin.	
10912	Colley's Pool Sales Inc	8 Schiffler Ct	Er. Pool-Abv Grnd	
10913	Nugent, Michael	68 Trentwood Trl N	Er. Deck	
10914	Majestic Pools Inc	16 Farmview Ct	Er. Pool-In Grnd	
10915	Stearns, Timothy	9 Main St	Er. Pool-Abv Grnd	
10916	Williams, Sherri	11 Park Walk	Er. Fence	
10917	Patterson, Joel	206 Belmont St	Er. Res. Add.	
10918	Marrano/Marc Equity	41 Summerfield Dr	Er. Dwlg.-Sin.	
10919	Marrano/Marc Equity	54 Cedar Brook Dr	Er. Dwlg.-Sin.	
10920	Strasser, Lawrence	7 Burwell Ave	Er. Deck	(VL)
10921	Santoro Signs Inc	4381 Walden Ave	Er. Sign	
10922	Zagarrio, Mario	6360 Genesee St	Er. Dwlg.-Sin.	
10923	C.D. Sams	6363 Transit Rd	Er. Sign-Temp	
10924	Kerl, Michael	46 Bentley Cir	Er. Pool-Abv Grnd	
10925	Leisurewood Design	46 Bentley Cir	Er. Deck	
10926	Markowski, James	8 Montauk Ln	Er. Shed	
10927	Bengert Greenhouses	6 Park Walk	Er. Pool-Abv Grnd	
10928	O'Connell, Thomas	4 Devonshire Ln	Er. Deck	
10929	Schemm, Edward Jr	57 Bowen Ave	Er. Shed	(VL)
10930	Wolf, Harold	526 Pleasant View Dr	Er. Garage	
10931	Classic Fence & Lumber	2 Redlein Dr	Er. Fence	
10932	Schultz, Clifford	34 Cowing St	Er. Fence	(VL)
10933	Walter, Kelly	404 Central Ave	Er. Res. Add.	
10934	Essex Homes of WNY	634 Pleasant View Dr	Er. Dwlg.-Sin.	
10935	Malke, Alan Jr	310 Broezel Ave	Er. Garage	
10936	Buscaglia Decks	12 Creekwood Dr	Er. Deck	
10937 SW	Diedrich, Ronald	5526 Genesee St	Er. Dwlg.-Sin.	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

July 21, 2003

COMMUNICATIONS & REPORTS:

- 403. Town Clerk to Town Board -
Transmittal of final settlement payment of the 2003 Town/County Tax collection.
DISPOSITION = Received & Filed
- 404. Building Inspector to Town Clerk -
Approval of game room license to AMF Bowling Center, 4913 Transit Road.
DISPOSITION = Received & Filed
- 405. Planning Board to Town Board -
Recommend approval of revised site plan for Meadowood Apartments, 4845
Transit Road. DISPOSITION = Planning Committee
- 406. Planning Board to Town Board -
Recommend approval of site plan for Wendy's Restaurant, Transit Road and
William Street. DISPOSITION = Planning Committee
- 407. Planning Board Chairman to Planning Board , Town Board, Town Engineer, Town
Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held July 2, 2003.
DISPOSITION = Received & Filed
- 408. Erie County Department of Public Works to Town Board -
Notice of Pre-Construction Meeting for 2003 Culvert Replacement, Group 4 to be
held July 8, 2003. DISPOSITION = Received & Filed
- 409. Town Clerk to Town Board -
Transmittal of monthly report for June 2003. DISPOSITION = Received & Filed
- 410. NYS DOT to Town Attorney -
Notification of Lead Agency to the Town of Lancaster regarding Evans National
Bank; comments noted. DISPOSITION = Planning Committee
- 411. Erie County Department of Environment and Planning to Planning Board Chairman -
Notification of Lead Agency to the Town of Lancaster regarding Meadowood
Apartments, 4845 Transit Road; comments noted. DISPOSITION = Planning
Committee
- 412. Erie County Department of Environment and Planning to Planning Board Chairman -
Notification of Lead Agency to the Town of Lancaster regarding Columbia
Subdivision; comments noted. DISPOSITION = Planning Committee
- 413. NYS Department of Health to Town Board -
Notice of public hearing regarding Drinking Water State Revolving Fund - draft
Intended Use Plan. DISPOSITION = Received & Filed
- 414. Highway Superintendent to Town Residents -
Letter regarding discharge of gutter and sump pump water into town drains.
DISPOSITION = Received & Filed
- 415. NYS DEC to Town Attorney -
Notification of Lead Agency Designation regarding Wendy's Restaurant, Transit
Road and William Street; comments noted. DISPOSITION = Planning Committee
- 416. Lancaster Area Chamber of Commerce to Town Board -
Broadway construction update. DISPOSITION = Received & Filed
- 417. Erie County Department of Public Works to Town Board -
Notice of Pre-Construction Meeting for 2003 Culvert Replacement, Group 3 to be
held July 14, 2003. DISPOSITION = Received & Filed
- 418. NYS Senate Energy and Telecommunications Committee to Supervisor -
Response to letter regarding Renewable Portfolio Standard. DISPOSITION =

419. NYS Department of Public Service to Supervisor -
Response to letter regarding Renewable Portfolio Standard. DISPOSITION = Received & Filed
420. NYS Office of Real Property Services to Supervisor -
Letter regarding 2002 Maintenance Aid Certification for the Town of Lancaster. DISPOSITION = Received & Filed
421. Erie County Department of Environment and Planning to Supervisor -
Letter regarding Erie-Niagara Framework for Regional Growth project. DISPOSITION = Received & Filed
422. NYS DOT to Supervisor -
Request for release of NYS preferential rights regarding particular railroad tracks in town. DISPOSITION = Town Attorney
423. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, Town Engineer -
Notice of SEQR meeting, July 21, 2003 at 6:30 PM to review site plan applications of Meadowood Apartment Expansion, Evans National Bank, Wendy's Restaurant, and Valerie Jurek 18 Hole Golf Course. DISPOSITION = Received & Filed
424. Town Clerk to Various News Media -
Notice to media of SEQR meeting, July 21, 2003 at 6:30 PM to review site plan applications of Meadowood Apartment Expansion, Evans National Bank, Wendy's Restaurant, and Valerie Jurek 18 Hole Golf Course. DISPOSITION = Received & Filed
425. Town Clerk to Town Board -
Application for Special Use Permit, 440 Lake Avenue, for pet care business. DISPOSITION = Town Attorney for Public Hearing
426. Highway Superintendent to Town Board -
Notice of inability to provide blacktop driveway aprons. DISPOSITION = Received & Filed
427. Building Inspector to Town Clerk -
Recommendation for approval of license to operate a salvage yard to Ed Henning Inc. DISPOSITION = Resolution 7/21/03
428. Erie County Department of Environment & Planning to Town Attorney -
Notice of Lead Agency Designation to the Town of Lancaster regarding Wendy's Restaurant, Transit Road and William Street; comments noted. DISPOSITION = Planning Committee
429. Erie County Department of Environment & Planning to Town Attorney -
Notice of Lead Agency Designation to the Town of Lancaster regarding Evans National Bank; comments noted. DISPOSITION = Planning Committee
430. Erie County Department of Environment & Planning to Planning Board Chairman -
Notice of Lead Agency Designation to the Town of Lancaster regarding Meadowood Apartments Expansion, 4845 Transit Road; comments noted. DISPOSITION = Planning Committee
431. Village of Lancaster to Town Board -
Transmittal of minutes of official meeting of June 23, 2003. DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
COUNCIL MEMBER MONTOUR, AND CARRIED, the meeting was adjourned at 9:32 P.M.

Signed _____
Johanna M. Coleman, Town Clerk